

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

DEANNA M. MCKAY,

Plaintiff(s),

v.

JUDGE ROBERT W. LANE, et al.,

Defendant(s).

Case No. 2:24-cv-01200-JAD-NJK

REPORT AND RECOMMENDATION

On December 12, 2024, the Court screened Plaintiff's complaint, finding that immunity applied to some claims and that federal jurisdiction had not been established as to other claims. Docket No. 6. The Court ordered that, if Plaintiff could cure those deficiencies, an amended complaint had to be filed by January 10, 2025. *Id.* at 4. The Court warned that "[f]ailure to file an amended complaint by the deadline set above will result in the recommended dismissal of this case." *Id.* (emphasis in original). Plaintiff has not filed an amended complaint, sought extension, or otherwise taken further action in this case. This case cannot proceed without an amended complaint.

Moreover, Plaintiff's refusal to comply with the Court's orders is an abusive litigation practice that has interfered with the Court's ability to hear this case, delayed litigation, disrupted the Court's timely management of its docket, wasted judicial resources, and threatened the integrity of the Court's orders and the orderly administration of justice. Sanctions less drastic than dismissal are unavailable because Plaintiff has refused to comply with the order of this Court notwithstanding the warning that case-dispositive sanctions may be imposed.

Accordingly, the undersigned **RECOMMENDS** that this case be **DISMISSED** without prejudice.

Dated: January 14, 2025


 Nancy J. Koppe
 United States Magistrate Judge

NOTICE

This report and recommendation is submitted to the United States District Judge assigned to this case pursuant to 28 U.S.C. § 636(b)(1). A party who objects to this report and recommendation must file a written objection supported by points and authorities within fourteen days of being served with this report and recommendation. Local Rule IB 3-2(a). Failure to file a timely objection may waive the right to appeal the district court's order. *Martinez v. Ylst*, 951 F.2d 1153, 1157 (9th Cir. 1991).